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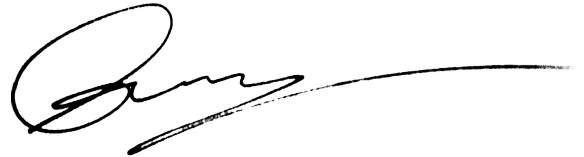
_____	:	<b>UNITED STATES DISTRICT COURT</b>
	:	<b>SOUTHERN DISTRICT OF NEW YORK</b>
SOUNDVIEW ELITE LTD., AND	:	
VANQUISH LTD.,	:	Civil Action No. 13 CV 06895 (AT)
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
GERTI MUHO, AND	:	
LEVERAGED HAWK, INC.	:	
	:	
Defendant.	:	
_____	:	

**MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION  
PURSUANT TO FED. R. CIV. PRO. 12(B)1.**

Defendant Gerti Muho moves the court Pro-Se to dismiss this action on the ground that the court lacks jurisdiction, in that on the 27<sup>th</sup> of September 2013, the date of filing of this action, both Plaintiff(s) and defendant Leveraged Hawk, Inc. were citizens of the State of New York, in which this district is located, as more fully appears, for Leveraged Hawk, Inc., on the public records of the Secretary of State of the State of New York and of the Securities & Exchange

Commission, and for Plaintiff(s) from the Opinion<sup>1</sup> of Honorable Robert E. Gerber, J., United States Bankruptcy Court, S.D. New York, which states “no reasonable court could now find the Debtors' COMI to be other than in the United States, at their principal place of business at 48 Wall Street [New York, New York 10005].” In re Soundview Elite, Ltd., 503 B.R. 571, 594 (Bankr. S.D.N.Y. 2014), and, on the merits of the Plaintiff(s) domicile rules “that their principal place of business is in the United States, at 48 Wall Street, in New York, New York, and that if a chapter 15 case with respect to them now were filed, their “center of main interests,” or “COMI,” would now be in New York as well.” Id. at 571. By these reasons there is lack of diversity of citizenship between the parties.

DATED: Saturday, March 08, 2014



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<sup>1</sup> Judge Gerber’s Opinion is void of information about SEC Registered Investment Advisory firm and New York based GM Capital Management, Inc. serving as the Plaintiff(s) in this case and Debtor(s) in that case sole U.S. legal representative for all matters.